

REMARKS

Applicants respectfully request reconsideration of this application. Claims 1-18 were pending. Claims 1, 7, 13-16, and 18 have been amended. Claims 5, 11, and 17 have been canceled without prejudice. New claims 19-24 have been added. Claims 1-4, 6-10, 12-16, and 18-24 remain pending.

Applicant reserves all rights with respect to the applicability of the Doctrine of Equivalents.

The Examiner objects to claims 13-18 because of informalities. Claims 13-18 lacks antecedent basis according to the specification. Accordingly, Applicant has amended the preamble of claims 13-16 and 18 to set forth a “recordable-type medium.” It is respectfully submitted that the amendment has overcome the objection.

Claims 13-18 have been rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Accordingly, Applicant has amended the preamble of claims 13-16 and 18 to set forth a “recordable-type medium.” It is respectfully submitted that the amendment has overcome the rejection.

The Examiner rejected claims 1-18 under 35 U.S.C. § 103(a) as being unpatentable over Nielsen (U.S. 6,453,327) in view of Rounthwaite et al, (U.S. Publication 2004/0177110). Applicant respectfully traverses the rejection.

Claim 1 as amended sets forth:

receiving a plurality of reports from a community of users, each report identifying an email message as spam or not spam, wherein each report comprises at least one signature *based on a content of the email message*;

(Claim 1 as amended; emphasis added)

In contrast, neither Nielsen nor Rounthwaite teaches the limitation set forth above. According to Nielsen, a Junk-Mail Report message, which is sent to a Trusted Group Server for reporting an email message identified as spam, includes a digital signature. The Trusted Group Server decrypts the digital signature to authenticate the Junk-Mail Report message. The digital signature is constructed using *the user's private key*. (Nielsen, col. 10, lines 35-37, col. 12, lines 37-45, and col. 13, lines 38-58) Therefore, Nielsen does not teach that the digital signature is based on a content of the email message identified as spam.

Regarding Rounthwaite, the reference makes no mention of any signature at all. Therefore, Rounthwaite fails to make up the deficiency of Nielsen. Since neither Nielsen nor Rounthwaite, alone or in combination, teaches the limitation of claim 1 set forth above, claim 1 as amended is patentable over Nielsen in view of Rounthwaite. Accordingly, Applicant respectfully submits that the rejection under 35 U.S.C. § 103(a) has been overcome by the amendments and the remarks.

For the reason discussed above with respect to claim 1, claims 7 and 13 as amended are also patentable over Nielsen in view of Rounthwaite. Claims 2-4, 6, 8-10, 12, 14-16, and 18 depend, directly or indirectly, from claims 1, 7, and 13, respectively. Thus, claims 2-4, 6, 8-10, 12, 14-16, and 18 are also patentable over Nielsen in view of Rounthwaite. Accordingly, Applicant submits that claims 2-4, 6-10, 12-16, and 18 are now in condition for allowance and such action is earnestly solicited.

New claims 19-24 have been added without introducing any new matter. New claims 19-24 depend from claims 1, 7, and 13, respectively, and thus, include every limitation set forth in their respective base claims. For at least the reason discussed

above with respect to claims 1, 7, and 13, new claims 19-24 are patentable over the art of record. Allowance of new claims 19-24 is earnestly solicited.


CONCLUSION

Applicant respectfully submits that the rejections have been overcome by the remarks and the amendments, and that the pending claims are in condition for allowance. Accordingly, Applicant respectfully requests the rejections be withdrawn and the pending claims be allowed.

Pursuant to 37 C.F.R. §1.136(a)(3), Applicant hereby requests and authorizes the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,
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